

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re: DPH Holdings Corp. et al.,

Reorganized Debtors.

Chapter 11

Case No. 05-44481 (RDD)

(Jointly Administered)

**ORDER GRANTING MOTION BY DAVID ARMSTRONG TO DEEM CLAIM FOR  
ADMINISTRATIVE EXPENSE TIMELY FILED PURSUANT TO  
FED. R. BANKR. P. 9006(b) AND 11 U.S.C. § 503(b)**

This matter having come before the Court on the Motion By David Armstrong To Deem Claim For Administrative Expense Claim Timely Filed Pursuant To Fed. R. Bankr. P 9006(b) And 11 U.S.C. § 503(b) (the “Motion”) [Docket No. 20760]; and the Court having considered the Reorganized Debtors' Limited Statement Regarding the Motion [Docket No. 20778]; and the parties having agreed on this form of order, and the Court being otherwise fully advised in the premises;

IT IS HEREBY ORDERED that

1. The Motion is granted.
2. The claim for administrative expense (the “Claim”), attached to the Motion as Exhibit A, is deemed timely filed.
3. Notwithstanding anything to contrary in Fed. R. Bankr. P. 3007(a), the Claim filed by David Armstrong is hereby deemed objected to on the basis that the Claim is not supported by the Reorganized Debtors' books and records, and the hearing regarding the objection to such Claim shall be adjourned to a future date to be noticed by the Reorganized Debtors consistent with and subject to the Order Pursuant To 11 U.S.C. § 502(b) And Fed. R.

Bankr. P. 2002(m), 3007, 7016, 7026, 9006, 9007, And 9014 Establishing (i) Dates For Hearings Regarding Objections To Claims And (ii) Certain Notices And Procedures Governing Objections To Claims (Docket No. 6089) and the Order Pursuant To 11 U.S.C. §§ 105(a) And 503(b) Authorizing Debtors To Apply Claims Objection Procedures To Address Contested Administrative Expense Claims (Docket No. 18998); provided, however, that such adjournment is without prejudice to David Armstrong's rights to seek abstention, withdrawal of the reference, or otherwise seek a jury trial in the United States District Court for the Eastern District of Michigan regarding the disputes raised in the Claim and the Reorganized Debtors' rights to contest any such assertions by David Armstrong.

Dated: November 22, 2010  
White Plains, New York

/s/Robert D. Drain  
Hon. Robert D. Drain  
United States Bankruptcy Judge